

ORDER

APPLICATION 8495PERMIT 4785LICENSE 2340ORDER ALLOWING CHANGE IN POINTS OF DIVERSION, CHANGE
IN PLACE OF USE AND CHANGE IN CHARACTER OF USE

Licensee having established to the satisfaction of the State Water Rights Board that the change in points of diversion, change in place of use and change in character of use under Application 8495, Permit 4785, License 2340 for which petitions were submitted on February 26, 1958 will not operate to the injury of any other legal user of water, the Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the points of diversion under said Application 8495, Permit 4785, License 2340 to points of diversion described as follows, to wit:

- (1) STORAGE DIVERSION - NORTH ELEVEN DEGREES FORTY-SEVEN MINUTES EAST ($N11^{\circ}47'E$) SEVEN HUNDRED THIRTY-EIGHT AND FIFTY-FOUR HUNDREDTHS (738.54) FEET FROM FRACTIONAL CORNER OF SECTION 6 AND 7 ON EAST SHORE OF LONG LAKE, T21N, R12E, MDB&M, BEING WITHIN $SW\frac{1}{4}$ OF $SW\frac{1}{4}$ OF SAID SECTION 6.
- (2) POWER USE - NORTH SIXTY-ONE DEGREES, EIGHTEEN MINUTES, TWENTY-TWO SECONDS EAST ($N61^{\circ}18'22"E$) FIVE HUNDRED FORTY-FOUR AND FORTY-NINE HUNDREDTHS (544.49) FEET FROM SW CORNER OF SECTION 21, T22N, R12E, MDB&M, BEING WITHIN $SW\frac{1}{4}$ OF $SW\frac{1}{4}$ OF SAID SECTION 21.
- (3) IRRIGATION AND DOMESTIC USE - SOUTH EIGHTY-FOUR DEGREES, FIFTY-FIVE MINUTES WEST ($S84^{\circ}55'W$) ONE THOUSAND SIX HUNDRED TWELVE AND TWENTY-TWO HUNDREDTHS (1612.22) FEET FROM $E\frac{1}{4}$ CORNER OF SECTION 21, T22N, R12E, MDB&M, BEING WITHIN $NW\frac{1}{4}$ OF $SE\frac{1}{4}$ OF SAID SECTION 21, AND

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the character of use under said Application 8495, Permit 4785, License 2340 to character of use as follows, to wit:

POWER, IRRIGATION AND DOMESTIC USES, AND

IT IS FURTHER ORDERED that permission be and the same is hereby granted

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 8495

PERMIT 4785

LICENSE 2340

to change the place of use under said Application 8495, Permit 4785, License 2340
to a place of use described as follows, to wit:

(A) POWER USE WITHIN: NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 21, T22N, R12E, MDB&M

(B) IRRIGATION AND DOMESTIC USE UPON:

240 ACRES WITHIN SE $\frac{1}{4}$ AND E $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF SECTION 9, T22N, R12E, MDB&M

80 ACRES WITHIN W $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF SECTION 10, T22N, R12E, MDB&M

120 ACRES WITHIN W $\frac{1}{2}$ OF SW $\frac{1}{4}$ AND SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 14, T22N, R12E, MDB&M

640 ACRES WITHIN SECTION 15, T22N, R12E, MDB&M

320 ACRES WITHIN E $\frac{1}{2}$ OF SECTION 16, T22N, R12E, MDB&M

480 ACRES WITHIN N $\frac{1}{2}$ AND N $\frac{1}{2}$ OF S $\frac{1}{2}$ OF SECTION 22, T22N, R12E, MDB&M

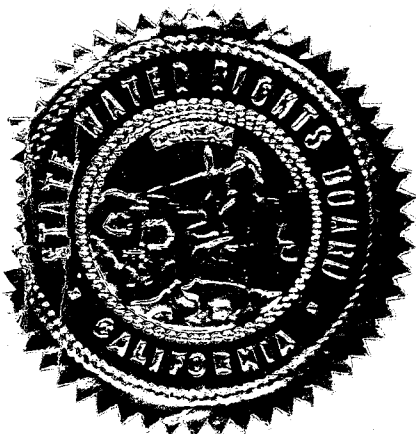
560 ACRES WITHIN S $\frac{1}{2}$; NW $\frac{1}{4}$ AND W $\frac{1}{2}$ OF NE $\frac{1}{4}$ OF SECTION 23, T22N, R12E, MDB&M

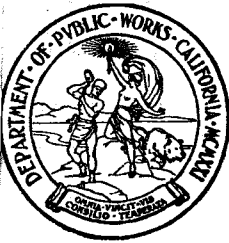
2,440 ACRES TOTAL AS SHOWN ON MAP FILED WITH STATE WATER RIGHTS BOARD

WITNESS my hand and the seal of the State Water Rights Board of the

State of California this 16th day of June, 1959

L. K. Hill
L. K. Hill
Executive Officer





STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

ORDER

APPLICATION 8495

PERMIT 4785

LICENSE 2340

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

Licensee having established to the satisfaction of the State Engineer that the change in point of diversion under Application 8495, Permit 4785, License 2340, for which petition was submitted on February 21, 1947 will not operate to the injury of any other legal user of water, the State Engineer so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said Application 8495, Permit 4785, License 2340 to points of diversion described as follows to-wit:

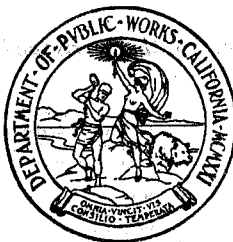
- (1) NORTH ELEVEN DEGREES, FORTY SEVEN MINUTES EAST (N.11° 47' E.) SEVEN HUNDRED THIRTY EIGHT AND FIFTY FOUR HUNDREDTHS (738.54) FEET FROM THE FRACTIONAL CORNER OF SECTIONS 6 AND 7 ON THE EAST SHORE OF LONG LAKE, T. 21 N., R. 12 E., M.D.B. & M. BEING WITHIN THE SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SECTION 6, AND
- (2) NORTH SIXTY ONE DEGREES, EIGHTEEN MINUTES, TWENTY TWO SECONDS EAST (N.61° 18' 22" E.) FIVE HUNDRED FORTY FOUR AND FORTY NINE HUNDREDTHS (544.49) FEET FROM THE S.W. CORNER OF SECTION 21, T. 22 N., R. 12 E., M.D.B. & M., BEING WITHIN THE SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SECTION 21.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 14th day of May, 1947.

EDWARD HYATT, STATE ENGINEER

By A. D. Edmonston
A. D. Edmonston
Assistant State Engineer.

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STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 2340

PERMIT 4785

Notice of Assignment (Over)
APPLICATION 8495

THIS IS TO CERTIFY, That **Gracagle Lumber Company**
Gracagle, California

has made proof to the satisfaction of the Division
of Water Resources of California of a right to the use of the waters of (1) Long Lake and (2) Gray Eagle
Creek in Plumas County

tributary of (1) Gray Eagle Creek and (2) Middle Fork of Feather River

for the purpose of **generating hydro-electric energy**
under Permit 4785 of the Division of Water Resources and that said right to the use of said waters has
been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources
and the terms of the said permit; that the priority of the right herein confirmed dates from **November 14, 1935;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed (1) fifteen hundred (1500)
acre feet per annum by storage to be collected from about November 1st to about
June 1st of each season and (2) thirteen and seventy-five hundredths (13.75)
cubic feet per second by direct diversion from January 1st to December 31st of
each season.

The points of diversion of such water are located (1) North eleven degrees forty-seven
minutes East (N. 11° 47' E.) seven hundred thirty-eight and fifty-four hundredths
(738.54) feet from the fractional corner of Sections 6 and 7 on the East Shore
of Long Lake, T 21 N, R 12 E, M.D.B.&M. and being within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said
Section 6, and (2) North fifty-one degrees nineteen minutes East (N. 51° 19' E.)
nine hundred ninety-two and sixty-four hundredths (992.64) feet from the south-
west corner of Section 21, T 22 N, R 12 E, M.D.B.&M. and being within the SW $\frac{1}{4}$
of SW $\frac{1}{4}$ of said Section 21.

*Amended by Order by 5-14-47
6-16-59*

A description of the lands or the place where such water is put to beneficial use is as follows:

NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21, T 22 N, R 12 E, M.D.B.&M.

Water is returned to Gray Eagle Creek at the place of use.

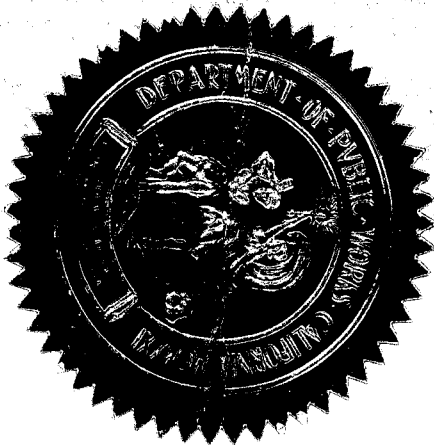
All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the Division of Water Resources in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from
time to time by the Division of Water Resources.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of
diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes of 1913, as amended, which is as follows:

SEC. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that at any time after the expiration of twenty years after the granting of a license, the state or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee, or licensee, or the heirs, successors, or assigns, of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. The findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become as to such surplus a public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and providing, further, that when such municipality shall desire to use the additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.



Witness my hand and the seal of the Department of Public
Works of the State of California, this eighth
day of December, 1941.

EDWARD HYATT

State Engineer

By

Harold Conkling
Deputy

12/4/41

RECEIVED NOTICE OF ASSIGNMENT TO

Gracagle Lumber Co.

2-10-58

RECEIVED NOTICE OF ASSIGNMENT TO

Placerville Lumber Co.

5/11/60

RECEIVED NOTICE OF ASSIGNMENT TO

Gracagle Lumber Co.

LICENSE 2340

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE

TO APPROPRIATE WATER

ISSUED TO Gracagle Lumber Company

DATED December 8, 1941